



House of Representatives

General Assembly

File No. 582

January Session, 2005

House Bill No. 6815

House of Representatives, April 28, 2005

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING EXPEDITED CRIMINAL HISTORY RECORDS CHECKS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-17a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 (a) If a criminal history records check is required pursuant to any
4 provision of the general statutes, such check shall be requested from
5 the State Police Bureau of Identification and shall be applicable to the
6 individual identified in the request. The requesting party shall arrange
7 for the fingerprinting of the individual or for conducting any other
8 method of positive identification required by the State Police Bureau of
9 Identification and, if a national criminal history records check is
10 requested, by the Federal Bureau of Investigation. The fingerprints or
11 other positive identifying information shall be forwarded to the State
12 Police Bureau of Identification which shall conduct a state criminal
13 history records check. If a national criminal history records check is

14 requested, the State Police Bureau of Identification shall submit the
15 fingerprints or other positive identifying information to the Federal
16 Bureau of Investigation for a national criminal history records check,
17 unless the Federal Bureau of Investigation permits direct submission of
18 the fingerprints or other positive identifying information by the
19 requesting party.

20 (b) The Commissioner of Public Safety may charge fees for
21 conducting criminal history background checks as follows:

22 (1) Except as provided in subdivision (2) of this subsection, for a
23 person requesting (A) a state criminal history records check, the fee
24 charged by the Department of Public Safety for performing such check,
25 and (B) a national criminal history records check, the fee charged by
26 the Federal Bureau of Investigation for performing such check.

27 (2) For a state agency requesting a national criminal history records
28 check of a person, the fee charged by the Federal Bureau of
29 Investigation for performing such check. The state agency shall
30 reimburse the Department of Public Safety for such cost. Unless
31 otherwise provided by the provision of the general statutes requiring
32 the criminal history records check, the state agency may charge the
33 person a fee equal to the amount paid by the state agency under this
34 subdivision.

35 (c) The Commissioner of Public Safety may provide an expedited
36 service for persons requesting criminal history records checks in
37 accordance with this section. Such expedited service shall include
38 making the results of such records checks available to the requesting
39 party through the Internet. The commissioner may enter into a contract
40 with any person, firm or corporation to establish and administer such
41 expedited service. The commissioner shall charge, in addition to the
42 fees charged pursuant to subsection (b) of this section, a fee of twenty-
43 five dollars for each expedited criminal history record check provided.
44 The fee charged pursuant to subsection (b) of this section and the
45 expedited service fee charged pursuant to this subsection shall be paid
46 by the requesting party in such manner as may be required by the

47 commissioner.

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| This act shall take effect as follows and shall amend the following sections: |
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|-----------|------------------------|--------|
| Section 1 | <i>October 1, 2005</i> | 29-17a |
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JUD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note**State Impact:**

| Agency Affected | Fund-Effect | FY 06 \$ | FY 07 \$ |
|----------------------|-------------------|-----------|-----------|
| Public Safety, Dept. | GF - Revenue Gain | Potential | Potential |

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill allows the Department of Public Safety to conduct expedited background checks on criminal history records. The expedited checks would allow requesting parties to view results on the Internet. The bill requires the Commissioner to charge an additional \$25 fee for expedited checks. It is unknown how many requests would be made for the expedited checks, but it is anticipated that the additional revenue would not be significant.

OLR Bill Analysis

HB 6815

AN ACT CONCERNING EXPEDITED CRIMINAL HISTORY RECORDS CHECKS.**SUMMARY:**

This bill authorizes the commissioner of Public Safety to provide an expedited service for people requesting criminal history records checks. Expedited service must include making the results available to the requesting party through the Internet. The bill authorizes the commissioner to contract with any person, firm, or corporation to establish and administer the expedited service. It requires the commissioner to charge an additional \$25 fee for each expedited criminal history record check provided. The bill specifies that the fees the commissioner charges for providing criminal history records checks must be paid by the requesting party in whatever manner the commissioner requires.

EFFECTIVE DATE: October 1, 2005

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report

Yea 40 Nay 0